



# Federal Register

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**Monday,  
December 11, 2006**

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**Part X**

## **Department of Housing and Urban Development**

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**Semiannual Regulatory Agenda**

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**


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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**
**24 CFR Subtitles A and B**
**[Docket No. FR-5048-N-02]**
**Semiannual Regulatory Agenda**
**AGENCY:** Department of Housing and Urban Development.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** In accordance with section 4(b) of Executive Order 12866, "Regulatory Planning and Review," as amended, HUD is publishing its agenda of regulations already issued or that are expected to be issued during the next several months. The agenda also includes rules currently in effect that are under review and describes those regulations that may affect small entities, as required by section 602 of the Regulatory Flexibility Act. The purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with advance information about pending regulatory activities.

**FOR FURTHER INFORMATION CONTACT:**

Aaron Santa Anna, Assistant General Counsel for Regulations, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street SW., Room 10276, Washington, DC 20410-0500; telephone (202) 708-3055. (This is not a toll-free number.) A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at (800) 877-8339 (Federal Information Relay Service).

**SUPPLEMENTARY INFORMATION:** Executive Order 12866 "Regulatory Planning and Review" (58 FR 51735), as amended by Executive Order 13258 (67 FR 9385), requires each department or agency to publish semiannually an agenda of: (1) Regulations that the department or agency has issued or expects to issue and (2) rules currently in effect that are under departmental or agency review. The Regulatory Flexibility Act (5 U.S.C. 601 to 612) requires each department or agency to publish semiannually a regulatory agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12866, as amended, and the Regulatory Flexibility Act each permits incorporation of the agenda required by these two authorities with any other prescribed agenda. Therefore, the agenda set out below combines the information required by Executive Order 12866, as amended, and the Regulatory Flexibility Act. In addition, the agenda contains certain information not required by either the Executive order or by the Regulatory Flexibility Act that the Department considers useful, both to better inform the public and to enhance the Department's own inventory control over its body of regulations.

Section 610(c) of the Regulatory Flexibility Act requires each department or agency to publish annually a list of the rules that have a significant economic impact on a substantial number of small entities and that are to be reviewed in accordance with the requirements of section 610 during the succeeding 12 months. Existing regulations that HUD proposes to amend by rules described and published in this agenda are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. The purpose of the review is to determine whether the rule should be continued without change, amended, or rescinded. Proposed changes to existing regulations provide the opportunity for the Department to conduct a section 610 review.

The Department also is subject to certain rulemaking requirements set forth in the Department of Housing and Urban Development Act (42 U.S.C. 3531 *et seq.*). Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight of HUD (the Senate Committee on Banking, Housing, and Urban Affairs, and the House Committee on Banking and Financial Services), a semiannual agenda of all rules or regulations that are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days after transmittal of the agenda. Section 7(o) provides that if, within that period, either committee notifies the Secretary that it intends to review any rule or regulation that appears on the agenda, the Secretary must submit to both committees a copy

of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days before it is published for comment. The semiannual agenda published today is the agenda transmitted to the committees in compliance with this requirement.

HUD has attempted to list in this agenda all regulations and regulatory reviews pending at the time of publication, except for minor and routine or repetitive actions, but some may have been inadvertently omitted, or may have arisen too late to be included in the published agenda. There is no legal significance to the omission of an item from the agenda. Also, where a date is provided for the next rulemaking action, the date is an estimate and is not a commitment to act on or by the date shown.

In some cases, HUD has withdrawn rules that were placed on previous agendas for which there has been no publication activity. Withdrawal of a rule does not necessarily mean that HUD will not proceed with the rulemaking. Withdrawal allows HUD to assess the subject matter further and determine whether rulemaking in that area is appropriate. Following such an assessment, the Department may determine that certain rules listed as withdrawn under this agenda are appropriate. If that determination is made, such rules will be included in a succeeding semiannual agenda.

In addition, for a few rules that have been published as proposed or interim rules and, therefore, require further rulemaking, HUD has identified the timing of the next action stage as "undetermined." These are rules that are still under review by HUD for which a determination of the next action stage and timing of the next action stage has not yet been made.

The format of the agenda remains unchanged from previous years. HUD's agenda items are divided first by program office. Within each program office, the agenda items are divided into five groups: (i) Pre-rulemaking actions; (ii) publication or other implementation of notices of proposed rulemaking; (iii) publication or other implementation of final rules; (iv) long-term rules; and (v) completed actions. Within each grouping, rules are listed in chronological order by the part number of the CFR affected. Where a rule affects

**HUD**

multiple parts of the CFR, the rule is listed by the first affected part number.

For this edition of the Department's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents

below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

Since the purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about the

Department's future regulatory actions, HUD invites all interested members of the public to comment on the rules listed in the agenda.

**Dated:** September 1, 2006.

**Roy A. Bernardi,**  
*Deputy Secretary.*

**Office of the Secretary—Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1522	24 CFR 1 Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance (FR-4981) .....	2501-AD14
1523	24 CFR 5 Refinement of Income and Rent Determinations in Public and Assisted Housing Programs (FR-4998) ...	2501-AD16
1524	Independent Public Accountant Roster (FR-5054) .....	2501-AD20
1525	Access to Compliance Guidance (FR-5064) .....	2501-AD21
1526	Revision of Freedom of Information Act Regulations (FR-5069) .....	2501-AD22
1527	Revisions to Regulations Governing Business Information Under the Freedom of Information Act (FR-5092) .....	2501-AD27
1528	Revision to Limited Denial of Participation Regulations (FR-5083) .....	2501-AD28
1529	2 CFR 2424 Implementation of OMB Guidance on Non-Procurement Debarment and Suspension (FR-5071) .....	2501-AD29
1530	Mortgagee Review Board (FR-5082) .....	2501-AD26
1531	Hearing Procedures (FR-5084) .....	2501-AD24
1532	Implementation of the Program Fraud Civil Remedies Act of 1986 (FR-5085) .....	2501-AD25
1533	Civil Money Penalties: Certain Prohibited Conduct (FR-5081) .....	2501-AD23
1534	24 CFR 50 Amendments to HUD's Environmental Regulations (FR-4954) .....	2501-AD11
1535	24 CFR 92 HOME Investment Partnerships Program (FR-4833) .....	2501-AC94

**Office of the Secretary—Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
1536	Public Access to HUD Records Under the FOIA and Production of Material or Provision of Testimony by HUD Employees (FR-5015) .....	2501-AD18
1537	Regulatory Amendments To Strengthen Prevention of Predatory Lending Practices (FR-5014) .....	2501-AD17
1538	24 CFR 92 American Dream Downpayment Initiative (FR-4832) .....	2501-AC93
1539	24 CFR 91 Timeliness Expenditure Standards for the Insular Areas Program (FR-5012) .....	2501-AD15

**Office of the Secretary—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
1540	HUD's Regulation of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac): Housing Goals (FR-4960) .....	2501-AD12
1541	24 CFR 84 Grants and Agreements—Uniform Requirements for All HUD Programs (FR-4930) .....	2501-AD05

**Office of the Secretary—Completed Actions**

Sequence Number	Title	Regulation Identifier Number
1542	24 CFR 5 Electronic Document Retention and Consumer Disclosure Requirements in HUD-Related Transactions (FR-4686) .....	2501-AC79
1543	24 CFR 25 FHA Lenders and Mortgagees: Prohibiting Misleading Words in Names of Non-Federally Supervised Entities and Strengthening Enforcement of Mortgagee Review Board Sanctions (FR-4765) .....	2501-AC95

## HUD

## Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1544	24 CFR 200 Alternative Water Supply System (FR-5017) .....	2502-AI37
1545	Requirement for Appraisers on the FHA Appraiser Roster, Technical Amendments (FR-5049) .....	2502-AI40
1546	Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing; Administrative Process for Assessment of Insured and Assisted Properties (FR-5070) .....	2502-AI43
1547	Participation and Compliance Requirements (FR-5073) .....	2502-AI47
1548	24 CFR 201 Permanent Foundations for Manufactured Housing (FR-5075) <b>(Reg Plan Seq No. 58)</b> .....	2502-AI45
1549	24 CFR 203 Accelerated Claims and Asset Disposition Program (FR-4887) .....	2502-AI14
1550	24 CFR 203 One Dollar Home Sales to Local Governments (FR 4862) .....	2502-AI15
1551	HECM Counseling Standardization and Roster (FR-4989) .....	2502-AI34
1552	Insuring Certain Manufactured Homes as Condominiums (FR-5035) .....	2502-AI38
1553	Housing Finance Agency Risk-Sharing Eligible Projects (FR-5065) .....	2502-AI42
1554	24 CFR 291 Disposition of HUD-Owned, Single-Family Assets in Asset Control Areas (FR-4988) .....	2502-AH40
1555	Disposition of HUD-Acquired, Single-Family Property Amendments (FR-4952) .....	2502-AI27

References in boldface appear in the Regulatory Plan in part II of this issue of the **Federal Register**.

## Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1556	24 CFR 401 Mark-to-Market Program Amendments (FR-4751) .....	2502-AH86
1557	24 CFR 200 Hospital Mortgage Insurance Program (FR-4927) .....	2502-AI22
1558	Revisions to the Single-Family Mortgage Insurance Program (FR-4831) .....	2502-AI03
1559	Hybrid Adjustable Rate Mortgages—Additional Index (FR-4969) .....	2502-AI32
1560	24 CFR 212 Housing Counseling Program (FR-4798) .....	2502-AH99
1561	Approval of Condominiums in Puerto Rico on Evidence of Presentment of Legal Documents (FR-5009) .....	2502-AI36
1562	24 CFR 401 Renewal of Expiring Section 8 Project-Based Assistance Contracts (FR-4551) .....	2502-AI35
1563	24 CFR 3280 Model Manufactured Home Installation Standards (FR-4928) .....	2502-AI25
1564	24 CFR 3285 Manufactured Home Installation Program (FR-4812) .....	2502-AH97
1565	24 CFR 3286 Manufactured Housing Dispute Resolution Program (FR-4813) .....	2502-AH98

## Office of Housing—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1566	HUD Multifamily Rental and Health Care Facility Closing Documents (FR-4883) .....	2502-AI11
1567	24 CFR 200 Disposition of HUD-Owned Multifamily Projects; Purchaser's Compliance With State and Local Housing Laws and Requirements (FR-4941) .....	2502-AI24
1568	24 CFR 203.43 (b)(1) Home Equity Conversion Mortgages (HECM): Cooperative Housing Developments (FR-4777) .....	2502-AH89
1569	24 CFR 3500 et seq RESPA—Improving the Process for Obtaining Mortgages (FR-4727) .....	2502-AH85

## Office of Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1570	24 CFR 25 Single-Family Mortgage: Lender Compliance and Accountability (FR-4761) .....	2502-AH87
1571	24 CFR 202.5 Establishment of Loan Officer Registry and Establishment of Servicing Approval Agreements (FR-4764) .....	2502-AH88
1572	24 CFR 202.2 Duties and Responsibilities of Loan Correspondents and Sponsors (FR-4762) .....	2502-AH90
1573	24 CFR 203 Due Diligence/Quality Control Plans (FR-4846) .....	2502-AI02
1574	Amendments to Prohibition of Property Flipping in HUD's Single-Family Mortgage Insurance Programs (FR-4911) .....	2502-AI18
1575	Risk-Based Mortgage Insurance Premium Structure (FR-5032) .....	2502-AI39
1576	Debenture Interest Payment Changes (FR-4945) .....	2502-AI41

## HUD

## Office of Housing—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
1577	Home Equity Conversion Mortgages (HECM): Long-Term Care Insurance (FR-4857) .....	2502-AI04
1578	24 CFR 291, subpart F Disposition of HUD-Acquired, Single-Family Property: Good Neighbor Next Door Sales Programs (FR-4712) .....	2502-AH72
1579	Disciplinary Actions Against HUD-Qualified Real Estate Brokers (FR-4871) .....	2502-AI08
1580	Manufactured Housing On-Site Construction (FR-4885) .....	2502-AI13

## Office of Community Planning and Development—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1581	Community Development Block Grant Program; Small Cities Program (FR-5013) .....	2506-AC19
1582	24 CFR 574 Housing Opportunities for Persons With AIDS (HOPWA) (FR-4708) .....	2506-AC11

## Office of Community Planning and Development—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1583	24 CFR 583 Supportive Housing Program (FR-4616) .....	2506-AC07
1584	Empowerment Zones: Performance Standards for Utilization of Grant Funds (FR-4853) .....	2506-AC16

## Office of Community Planning and Development—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1585	24 CFR 570 Prohibition on Use of CDBG Assistance for Job-Pirating Activities (FR-4556) .....	2506-AC04
1586	24 CFR 570 Community Development Block Grant Program Revision of CDBG Eligibility and National Objective Regulations (FR-4699) .....	2506-AC12

## Government National Mortgage Association—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1587	24 CFR 320 Government National Mortgage Association: Mortgage-Backed Securities (MBS) Program—Payments to Securityholders; Book-Entry Procedures; and Financial Reporting (FR-5063) .....	2503-AA19

## Government National Mortgage Association—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1588	GNMA: Excess Yield Securities (FR-4958) .....	2503-AA18

## Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1589	Design and Construction Requirements; Compliance With ANSI A117.1 Standards (FR-5006) .....	2529-AA92

## HUD

## Office of Fair Housing and Equal Opportunity—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1590	Economic Opportunities for Low- and Very Low-Income Persons (FR-4983) .....	2529-AA91

## Office of Fair Housing and Equal Opportunity—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1591	24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4748) .....	2529-AA90

## Office of Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1592	48 CFR 2401 HUD Acquisition Regulation (FR-4705) .....	2535-AA26

## Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1593	Revisions to Troubled Agency-Recovery Process (FR-5008) .....	2577-AC63
1594	Revisions to the Public Housing Assessment System (PHAS) (FR-5094) ( <b>Reg Plan Seq No. 60</b> ) .....	2577-AC68
1595	24 CFR 903 Streamlining Public Housing Programs (FR-4990) .....	2577-AC59
1596	24 CFR 903 Implementation of Violence Against Women and Justice Department Reauthorization Act of 2005 for HUD Programs Under the U.S. Housing Act of 1937 (FR-5056) .....	2577-AC65
1597	Capital Fund Program (FR-4880) ( <b>Reg Plan Seq No. 59</b> ) .....	2577-AC50
1598	Technical and Conforming Amendments to the Public Housing Homeownership Program (FR-4891) .....	2577-AC53
1599	Streamlined Mixed Finance Application Review (FR-4924) .....	2577-AC55
1600	Revisions to PHA-Owned or Leased Projects—General Provisions (FR-5096) .....	2577-AC71
1601	Energy Performance Contracts (FR-5057) .....	2577-AC66
1602	Housing Choice Voucher Program Homeownership Option; Eligibility of Units Not Yet Under Construction (FR-4991) .....	2577-AC60
1603	24 CFR 982 Streamlining Tenant-Based HCVP Assistance and SEMAP (FR-5095) .....	2577-AC70
1604	Tax Credit Rents in Project-Based Units (FR-5034) .....	2577-AC62
1605	24 CFR 990 Capital and Operating Funds for Debt Service and Financing Activities (FR-4843) .....	2577-AC49
1606	Use of Indian Housing Block Grant Funds for Rental Assistance in Low-Income Housing Tax Credit Projects (FR-4999) .....	2577-AC61
1607	Use of Census Data in the Indian Housing Block Grant Program (FR-5055) .....	2577-AC64
1608	Implementation of Statutory Changes to the Indian Housing Block Grant Program (FR-4968) .....	2577-AC67

References in boldface appear in the Regulatory Plan in part II of this issue of the **Federal Register**.

## Office of Public and Indian Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1609	Native American Housing Assistance and Self-Determination Act (NAHASDA): Revisions to the Indian Housing Block Grant Program Formula (FR-4938) .....	2577-AC57
1610	Self-Insurance Plans Under the Indian Housing Block Grant Program (FR-4897) .....	2577-AC58
1611	Native American Housing Assistance and Self-Determination Act; Minimum Funding Under the Indian Housing Block Grant Program (FR-5093) .....	2577-AC69

**HUD**

Office of Public and Indian Housing—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1612	24 CFR 1000 Implementation of Statutory Revisions to NAHASDA (FR-4750) .....	2577-AC37

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1613	24 CFR 970 Public Housing Program—Demolition or Disposition of Public Housing Projects (FR-4598) .....	2577-AC20

**Department of Housing and Urban Development (HUD)  
Office of the Secretary (HUDSEC)**

**Proposed Rule Stage**

**1522. NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE (FR-4981)**

**Priority:** Other Significant

**Legal Authority:** 29 USC 794; 42 USC 3535(d); 42 USC 5309; 42 USC 6103; 42 USC 2000d-1

**CFR Citation:** 24 CFR 1; 24 CFR 8; 24 CFR 146

**Legal Deadline:** None

**Abstract:** This rule would amend the regulations implementing title VI of the Civil Rights Act of 1964 (title VI), section 504 of the Rehabilitation Act of 1972 (section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). These statutes collectively prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. These proposed amendments have been coordinated with the Department of Justice (DOJ) and are consistent with changes made by numerous Federal agencies (as coordinated by the DOJ) in a final rule published August 26, 2003.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bryan Greene, Deputy Assistant Secretary for Fair Housing

and Equal Opportunity, Department of Housing and Urban Development  
Phone: 202 619-8046

**RIN:** 2501-AD14

**1523. REFINEMENT OF INCOME AND RENT DETERMINATIONS IN PUBLIC AND ASSISTED HOUSING PROGRAMS (FR-4998)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437f; 42 USC 3535(d); 42 USC 3543; 42 USC 3544; 42 USC 3608

**CFR Citation:** 24 CFR 5; 24 CFR 92; 24 CFR 908

**Legal Deadline:** None

**Abstract:** Under the Rental Housing Integrity Improvement Project (RHIP), HUD is seeking to refine regulations where they are unclear, strengthen internal controls in HUD programs, and facilitate the full implementation of the process of up-front verification of the income of assisted families by public housing agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Nicole Faison, Director, Office of Public Housing Programs, Office of Public and Indian Housing, Department of Housing and Urban Development

Phone: 202 708-0744

**RIN:** 2501-AD16

**1524. INDEPENDENT PUBLIC ACCOUNTANT ROSTER (FR-5054)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d)

**CFR Citation:** 24 CFR 5, subpart H

**Legal Deadline:** None

**Abstract:** This rule would establish a roster of independent public accountants and public accounting firms (the IPA roster) that would be authorized to perform audits or related services required by HUD. The rule would establish the eligibility criteria for placement on the IPA roster, and would also establish removal procedures for those accountants and accounting firms that fail to maintain eligibility for roster listing. HUD is proposing to establish the IPA roster because the quality and accuracy of financial data submitted to the Department begins with the selection of well-qualified accountants.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Elizabeth Hanson, Deputy Assistant Secretary, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development

## HUD—HUDSEC

## Proposed Rule Stage

Phone: 202 475-7949

RIN: 2501-AD20

### 1525. ● ACCESS TO COMPLIANCE GUIDANCE (FR-5064)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 3535(d)

**CFR Citation:** 24 CFR 11

**Legal Deadline:** None

**Abstract:** This rule would establish new regulations designed to assist HUD program participants and regulated entities in their compliance with HUD statutes and regulations by providing, in certain circumstances, advance informal legal guidance on matters that may otherwise lead to enforcement actions. Specifically, the regulations would offer participants in HUD programs, including HUD's assistance programs (all forms of assistance) and loan insurance and guarantee programs, and entities regulated under statutes administered by HUD, such as the Real Estate Settlement Procedures Act, the opportunity, under specified conditions, to seek informal legal guidance in the form of interpretative letters or no-action letters (compliance guidance) from HUD.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Camille E. Acevedo, Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-1793

RIN: 2501-AD21

### 1526. ● REVISION OF FREEDOM OF INFORMATION ACT REGULATIONS (FR-5069)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 3535(d)

**CFR Citation:** 24 CFR 15

**Legal Deadline:** None

**Abstract:** This rule would amend HUD's Freedom of Information Act (FOIA) regulations. The rule would revise and clarify the FOIA request

process. HUD is undertaking this effort in order to make the regulations more accessible and understandable.

**Timetable:**

Action	Date	FR Cite
NPRM	10/05/06	71 FR 58994
NPRM Comment	12/04/06	
Period End		
Final Rule	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Nancy Christopher, Associate General Counsel for Litigation, Department of Housing and Urban Development  
Phone: 202 708-0300

RIN: 2501-AD22

### 1527. ● REVISIONS TO REGULATIONS GOVERNING BUSINESS INFORMATION UNDER THE FREEDOM OF INFORMATION ACT (FR-5092)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 3535(d)

**CFR Citation:** 24 CFR 15

**Legal Deadline:** None

**Abstract:** This rule clarifies and explains the procedures governing the disclosure of commercial or financial information submitted to the Department under the Freedom of Information Act (FOIA). This rule would revise the regulations on the procedures for release of confidential business information to enable the Department, in cases where a voluminous number of submitters are affected, to notify submitters by posting or publishing notice in a place reasonable likely to accomplish it. This rule also describes the process to be followed by submitters seeking to object to a disclosure of commercial or financial information. HUD is proposing to revise the regulations governing disclosure of commercial or financial information to be more efficient, efficacious, and informative in accordance with the President's recently issued Executive Order 13392 on Improving Agency Disclosure of Information.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Holly Salamido, Assistant General Counsel for Litigation, FOIA Division, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-3866

RIN: 2501-AD27

### 1528. ● REVISION TO LIMITED DENIAL OF PARTICIPATION REGULATIONS (FR-5083)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 41 USC 701 et seq; 42 USC 3535(d); 31 USC 6101 note; EO 12689

**CFR Citation:** 24 CFR 24

**Legal Deadline:** None

**Abstract:** This rule would revise and update the Department's limited Denial of Participation regulation. The regulations would be clarified to state that any act of omission that would be cause for debarment would be grounds for the issuance of an Limited Denial of Participation (LDP). Additionally, the proposed rule would remove from the LDP regulations debarment or suspension by another Federal agency as a cause for issuance of an LDP because it is unnecessary as a majority of Federal agency suspensions and debarments have Governmentwide effect. Lastly, this proposed rule would reinsert a provision governing the information that is to be considered in deciding whether to terminate, modify, or affirm an LDP, which was inadvertently removed in a previous modification of the regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-2350

RIN: 2501-AD28



## HUD—HUDSEC

## Proposed Rule Stage

**1529. • IMPLEMENTATION OF OMB GUIDANCE ON NON-PROCUREMENT DEBARMENT AND SUSPENSION (FR-5071)****Priority:** Substantive, Nonsignificant**Legal Authority:** 41 USC 701 et seq; 42 USC 3535(d); 31 USC 6101 note; EO 12544 (3 CFR 1986 Comp p 189); EO 12689 (3 CFR 1989 Comp p 235)**CFR Citation:** 2 CFR 2424; 24 CFR 24**Legal Deadline:** None

**Abstract:** This rule would relocate HUD's regulations governing nonprocurement debarment and suspension to a new part in title 2 of the Code of Federal Regulations. The relocation is part of a Governmentwide initiative to create one location where the public can find both the Office of Management and Budget (OMB) guidance for grants and agreements and the associated Federal agency implementing regulations. The proposed new part would adopt the OMB guidance on nonprocurement debarment and suspension and supplement it with HUD-specific clarifications and additions. The proposed rule would also make conforming changes to HUD regulations referencing the nonprocurement debarment and suspension regulations. This regulatory action is an administrative simplification that would make no substantive change in HUD policy or procedures for nonprocurement debarment and suspension.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-2350

**RIN:** 2501-AD29**1530. • MORTGAGEE REVIEW BOARD (FR-5082)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1708(c); 12 USC 1708(d); 12 USC 1709(s); 12 USC 1715b; 12 USC 1735f-14**CFR Citation:** 24 CFR 25**Legal Deadline:** None

**Abstract:** This rule would make changes to the Department's Mortgagee Review Board regulations to reflect statutory directives and amend current practice. This rule would modify the procedures governing sanction hearings to allow matters to move to the hearing officer directly, rather than by referral of the hearing official. The rule would also remove the requirements that the Board approve any action of suspension of debarment. Additional revisions proposed by this rule would remove provisions that unnecessarily duplicate the authorizing statute and are designed to clarify the authority and duties of the Board in taking administrative action against FHA-approved mortgagees. This rule would separate and clarify the grounds for administrative action and the factors considered by the Board in evaluating whether to take administrative action, as well as require the mortgagee to address these factors in its response to the Board's notice of violation. Finally, other organizational changes would be made to improve overall clarity.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-2350

**RIN:** 2501-AD26**1531. • HEARING PROCEDURES (FR-5084)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 26**Legal Deadline:** None

**Abstract:** This rule would amend the hearing procedures applicable to matters brought by HUD before hearing officers or before Administrative Law Judges (pursuant to the Administrative Procedure Act) to reflect current practice and to conform more closely

with statutory requirements and amendments being made simultaneously to 24 CFR parts 25 and 28.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-2350

**RIN:** 2501-AD24**1532. • IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986 (FR-5085)****Priority:** Other Significant**Legal Authority:** 28 USC 2461 note; 31 USC 3801 to 3812; 42 USC 3535(d)**CFR Citation:** 24 CFR 28**Legal Deadline:** None

**Abstract:** This rule would amend HUD's regulations implementing the Program Fraud Civil Remedies Act of 1986 (PFCRA) to more closely conform the regulations with the statute.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-2350

**RIN:** 2501-AD25**1533. • CIVIL MONEY PENALTIES: CERTAIN PROHIBITED CONDUCT (FR-5081)****Priority:** Other Significant**Legal Authority:** 12 USC 1701q-1; 12 USC 1703; 12 USC 1723i; 12 USC 1735f-14; 12 USC 1735f-15; 15 USC

## HUD—HUDSEC

## Proposed Rule Stage

1717a; 28 USC 2461 note; 42 USC 1437z-1; 42 USC 3535(d)

**CFR Citation:** 24 CFR 30

**Legal Deadline:** None

**Abstract:** This rule would amend HUD's regulations that govern the imposition of civil money penalties. Specifically, HUD is adding a definition of "ability to pay," which is one of the factors used in determining the appropriateness of any amount of civil money penalties. The revised regulations would also amend the grounds for action against mortgagees and lenders to specifically include failure to comply with indemnification and other agreements with HUD or the Mortgagee Review Board. Additionally, the revised regulation would require respondents, in their responses to the prepenalty notice, to specifically address the factors in determining appropriateness and amount of civil money penalty, described in 24 CFR 30.80. Finally, this rule would make other changes to conform to the authorizing statutes.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dane Narode, Assistant General Counsel, Office of Program Enforcement, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-2350

**RIN:** 2501-AD23

**1534. AMENDMENTS TO HUD'S ENVIRONMENTAL REGULATIONS (FR-4954)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1707 note; 12 USC 1715z-13a(k); 15 USC 7001 et seq; 25 USC 4226; 42 USC 3535(d); 42 USC 3547; 42 USC 4332; 42 USC 4852; 42 USC 12838; 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912; 42 USC 12905(h); 42 USC 1437x; 42 USC 3601 to 3619; 42 USC 4001 to 4028; 42 USC 5301 to 5315; 42 USC 5304(g); 44 USC 101 note; 44 USC 3504 note

**CFR Citation:** 24 CFR 50; 24 CFR 51; 24 CFR 55; 24 CFR 58; 24 CFR 91

**Legal Deadline:** None

**Abstract:** This rule would make a number of revisions to HUD's environmental regulations to reduce administrative barriers and speed environmental reviews. This rule would expand HUD's regulatory waiver authority for certain environmental provisions where there is good cause and no adverse environmental impact will result. This change will allow for a more streamlined and user-friendly process for environmental review. The rule also would add an exemption to 24 CFR part 55 (floodplain management) for special projects directed to the removal of architectural barriers of properties located within floodplains. It would also exempt minor repairs or improvements, and special projects to remove architectural barriers for elderly persons and persons with disabilities. In addition, the rule would make a number of minor conforming changes to HUD's environmental regulations. Finally, the rule would request public comments on advance proposals to allow environmental submissions and notifications to be done electronically.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local

**Agency Contact:** Walter D. Prybyla, Environmental Review Division, Office of Community Planning and Development, Department of Housing and Urban Development  
Phone: 202 708-1201

**RIN:** 2501-AD11

**1535. HOME INVESTMENT PARTNERSHIPS PROGRAM (FR-4833)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 12701 to 12839; 42 USC 3535(d)

**CFR Citation:** 24 CFR 92

**Legal Deadline:** None

**Abstract:** This rule would change the HOME regulations with respect to Community Housing Development Organization (CHDO) performance measures, CHDO conflict of interest provisions, and other policies related to CHDOs. It would also clarify the distinction between housing and facilities and make other corrections and clarifications.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Virginia Sardone, Director, Program Policy Division, Office of Community Planning and Development, Department of Housing and Urban Development  
Phone: 202 708-2470

**RIN:** 2501-AC94

Department of Housing and Urban Development (HUD)  
Office of the Secretary (HUDSEC)

Final Rule Stage

**1536. PUBLIC ACCESS TO HUD RECORDS UNDER THE FOIA AND PRODUCTION OF MATERIAL OR PROVISION OF TESTIMONY BY HUD EMPLOYEES (FR-5015)**

**Priority:** Other Significant

**Legal Authority:** 5 USC 552; 42 USC 3535(d)

**CFR Citation:** 24 CFR 15

**Legal Deadline:** None

**Abstract:** This rule makes changes in the Department's regulations governing production of material or provision of testimony by HUD employees in response to demands made during the course of legal proceedings to provide guidance on the criteria used to evaluate such demands.

**Timetable:**

Action	Date	FR Cite
NPRM	08/15/06	71 FR 46986
NPRM Comment Period End	10/16/06	
Final Action	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John W. Herold, Associate General Counsel for Program Enforcement, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-2568

**RIN:** 2501-AD18

**1537. REGULATORY AMENDMENTS TO STRENGTHEN PREVENTION OF PREDATORY LENDING PRACTICES (FR-5014)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1451 et seq; 12 USC 1716 et seq; 12 USC 4501 et seq; 42 USC 3535(d)

**CFR Citation:** 24 CFR 81

**Legal Deadline:** None

**Abstract:** Pursuant to the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (FHEFSSA), the Secretary is responsible for establishing, monitoring, and enforcing the level of annual housing goals that Fannie Mae and Freddie Mac (two housing Government-Sponsored Enterprises or GSEs) are required to achieve and for determining whether a GSE will receive full, partial, or no

credit towards the housing goals for mortgages each purchases or guarantees. The Secretary is also charged with monitoring the GSEs' compliance with the Fair Housing Act. HUD's regulations prohibit goals credit for HOEPA mortgages as defined under the Home Ownership Equity Protection Act and for mortgages with unacceptable terms and conditions as defined in HUD's regulations. The Department enacted these provisions to ensure that the GSEs do not purchase loans that actually harm borrowers and support unfair lending practices. For that reason, HUD determined in its 2000 rulemaking, and reiterated in its 2004 rulemaking, that the GSEs should not receive the incentive of goals credit for purchasing high cost mortgages, including mortgages with unacceptable features.

**Timetable:**

Action	Date	FR Cite
NPRM	06/07/06	71 FR 33144
NPRM Comment Period End	08/07/06	
Final Action	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sandra Fostek, Director, Office of Government Sponsored Enterprises Oversight, Office of Housing, Department of Housing and Urban Development  
Phone: 202 708-2224

**RIN:** 2501-AD17

**1538. AMERICAN DREAM DOWNPAYMENT INITIATIVE (FR-4832)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d); 42 USC 12701 to 12839; 42 USC 3601 to 3619; 42 USC 5301 to 5315; 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912

**CFR Citation:** 24 CFR 91; 24 CFR 92

**Legal Deadline:** None

**Abstract:** This rule follows publication of, and considers the public comments on, two earlier HUD rules. First, this rule makes final the March 30, 2004, interim rule establishing regulations for a downpayment assistance component under the HOME Investment Partnerships Program (HOME), referred

to as the American Dream Downpayment Initiative (ADDI). Through the ADDI, HUD makes formula grants to participating jurisdictions under the HOME Program for the purpose of assisting low-income families achieve homeownership. In addition, this rule also makes final HUD's November 22, 2004, interim rule, which revised and clarified the HOME Program homeownership affordability requirements of the HOME Investment Partnerships Program. In response to the public comments received on both interim rules, this final rule clarifies that the purchase of manufactured homes is an ADDI eligible activity, and broadens and clarifies the use of HOME funds to help preserve affordable housing previously assisted with HOME funds.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/30/04	69 FR 16758
Interim Final Rule Effective	04/29/04	
Interim Final Rule Comment Period End	06/01/04	
Final Action	04/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Virginia Sardone, Director, Program Policy Division, Office of Community Planning and Development, Department of Housing and Urban Development  
Phone: 202 708-2470

**RIN:** 2501-AC93

**1539. TIMELINESS EXPENDITURE STANDARDS FOR THE INSULAR AREAS PROGRAM (FR-5012)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 5301 to 5320; 42 USC 3535(d)

**CFR Citation:** 24 CFR 91; 24 CFR 570

**Legal Deadline:** None

**Abstract:** This rule would set a regulatory timeliness standard for the Insular Areas Program to bring the Insular Areas in line with Entitlement Program Grantees. The regulation would add a section to handle Reallocations of Insular Area funds and would make some technical amendments to extend the applicability

## HUD—HUDSEC

## Final Rule Stage

of several sections of the CDBG regulations to the Insular Areas Program.

**Timetable:**

Action	Date	FR Cite
NPRM	08/07/06	71 FR 44860

Action	Date	FR Cite
NPRM Comment Period End	10/06/06	
Final Action	03/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No

**Government Levels Affected:** Local  
**Agency Contact:** Stephen Rhodside, Senior Program Officer, Office of Community Planning and Development, Department of Housing and Urban Development  
 Phone: 202 708-1322  
**RIN:** 2501-AD15

**Department of Housing and Urban Development (HUD)**  
**Office of the Secretary (HUDSEC)**

## Long-Term Actions

**1540. HUD'S REGULATION OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION (FANNIE MAE) AND THE FEDERAL HOME LOAN MORTGAGE CORPORATION (FREDDIE MAC): HOUSING GOALS (FR-4960)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1451 et seq; 12 USC 1716 to 1723h; 12 USC 4501 to 4641; 28 USC 2461 note; 42 USC 3535(d); 42 USC 3601 to 3619

**CFR Citation:** 24 CFR 81**Legal Deadline:** None

**Abstract:** This rulemaking advises of HUD's intention to develop, by regulation, a provision that recognizes and takes into consideration the impact of certain factors, not addressed in the recent rulemaking, that may impact the GSEs' ability to achieve the housing goals in certain years, and solicits proposals on how such a provision should be structured and implemented.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/02/04	69 FR 63576

Action	Date	FR Cite
ANPRM Comment Period End	12/17/04	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sandra Fostek, Director, Office of Government Sponsored Enterprises Oversight, Office of Housing, Department of Housing and Urban Development  
 Phone: 202 708-2224

Paul S. Ceja, Assistant General Counsel, Office of General Counsel, Department of Housing and Urban Development  
 Phone: 202 708-3137

**RIN:** 2501-AD12

**1541. GRANTS AND AGREEMENTS—UNIFORM REQUIREMENTS FOR ALL HUD PROGRAMS (FR-4930)**

**Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 84; 24 CFR 85**Legal Deadline:** None

**Abstract:** Based on a proposal by OMB that would publish, in a single title in the CFR, all of OMB's guidance concerning Federal agency grants and agreements, HUD proposes to simplify the Department's requirements for grants, nonprocurement agreements, and other financial assistance by establishing these standards as uniform for all HUD programs, except when statutory authority provides otherwise. This rule would also make several technical corrections to cross-references.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Barbara Dorf, Director, Office of Departmental Grants Management and Oversight, Office of Administration, Department of Housing and Urban Development  
 Phone: 202 708-0667

**RIN:** 2501-AD05

**Department of Housing and Urban Development (HUD)**  
**Office of the Secretary (HUDSEC)**

## Completed Actions

**1542. ELECTRONIC DOCUMENT RETENTION AND CONSUMER DISCLOSURE REQUIREMENTS IN HUD-RELATED TRANSACTIONS (FR-4686)**

**Priority:** Other Significant**CFR Citation:** 24 CFR 5**Completed:**

Reason	Date	FR Cite
Withdrawn	10/13/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Koren McKenzie-John  
 Phone: 202 708-4090

**RIN:** 2501-AC79

**1543. FHA LENDERS AND MORTGAGEES: PROHIBITING MISLEADING WORDS IN NAMES OF NON-FEDERALLY SUPERVISED ENTITIES AND STRENGTHENING ENFORCEMENT OF MORTGAGEE REVIEW BOARD SANCTIONS (FR-4765)**

**Priority:** Other Significant**CFR Citation:** 24 CFR 25; 24 CFR 202

## HUD—HUDSEC

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Murray  
Phone: 202 708-1515**RIN:** 2501-AC95**Department of Housing and Urban Development (HUD)  
Office of Housing (OH)****Proposed Rule Stage****1544. ALTERNATIVE WATER SUPPLY SYSTEM (FR-5017)****Priority:** Other Significant**Legal Authority:** 12 USC 1702 to 1715z-21; 42 USC 3535(d)**CFR Citation:** 24 CFR 200; 24 CFR 203**Legal Deadline:** None

**Abstract:** Current HUD mortgage insurance regulations establish minimum property standards for insured single-family housing, which include the requirement that each home with a mortgage to be insured have a "continuous" water supply that is capable of delivering water at a flow of 5 gallons per minute over at least 4 hours. However, in some geographical areas and under certain conditions, it may be beneficial for HUD to insure mortgages for housing where it is not possible for the housing to have a water supply that meets this standard. Therefore, this rule would permit HUD to insure housing with alternative water supplies under certain conditions.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Peter Gillispie, Home Valuation Policy Division, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

**RIN:** 2502-AI37**1545. REQUIREMENT FOR APPRAISERS ON THE FHA APPRAISER ROSTER, TECHNICAL AMENDMENTS (FR-5049)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1702 to 1715z to 21; 42 USC 3535(d)**CFR Citation:** 24 CFR 200**Legal Deadline:** None

**Abstract:** This rule makes technical amendments to the requirements found in 24 CFR 200.206 to eliminate any outdated reference to Handbook 4150.2, which will be superseded. The rule replaces the outdated handbook reference with a general reference to the Department's directives and policies.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

**RIN:** 2502-AI40**1546. • UNIFORM PHYSICAL CONDITION STANDARDS AND PHYSICAL INSPECTION REQUIREMENTS FOR CERTAIN HUD HOUSING; ADMINISTRATIVE PROCESS FOR ASSESSMENT OF INSURED AND ASSISTED PROPERTIES (FR-5070)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1702 to 1715z-21; 42 USC 3535(d)**CFR Citation:** 24 CFR 200**Legal Deadline:** None

**Abstract:** HUD assesses the physical conditions of multifamily properties and notifies owners of the assessment of their multifamily housing. The owners, under certain circumstances, are provided an opportunity to seek a technical review of HUD's physical condition assessment, and HUD may take action in certain cases where the housing is found not to be in

compliance with the physical condition standards. In order to improve uniformity in the technical review request process, this rule would make minor changes to the timeframes for requesting technical review. Specifically, this change would implement a standard timeframe for the submission of a request for a technical review for both physical inspection results that are transmitted to the owner via the Internet or by hard copy by certified mail. HUD believes that coordinating the timeframe for the request for a technical review is less confusing to its clients and multifamily field offices.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Eric Ramsey, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-3944

**RIN:** 2502-AI43**1547. • PARTICIPATION AND COMPLIANCE REQUIREMENTS (FR-5073)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 12 USC 1702 to 1715z-21**CFR Citation:** 24 CFR 200**Legal Deadline:** None

**Abstract:** This rule proposes to revise HUD's rules on previous participation filings, including a new system of identifying participating parties and their roles—specially newer housing programs and revised hospitals in the rule's coverage—and revise the due process requirements of the rules.

## HUD—OH

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** William Hill, Director of Policy and Participations Standards Division, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0614

RIN: 2502-AI47

**1548. • PERMANENT FOUNDATIONS FOR MANUFACTURED HOUSING (FR-5075)**

**Regulatory Plan:** This entry is Seq. No. 58 in part II of this issue of the **Federal Register**.

RIN: 2502-AI45

**1549. ACCELERATED CLAIMS AND ASSET DISPOSITION PROGRAM (FR-4887)**

Priority: Other Significant

**Legal Authority:** 12 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 291

Legal Deadline: None

**Abstract:** This rule codifies the requirements for the Accelerated Claims and Asset Disposition (ACD) program, making it a permanent part of HUD's single family mortgage insurance programs. Under the ACD program, HUD will pay claims upon assignment of certain defaulted mortgage loans ("assets") insured by the Federal Housing Administration (FHA). The purpose of the ACD program is to help maximize the recovery on assets sold by HUD.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/05/06	
ANPRM Comment Period End	10/16/06	
NPRM	04/00/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Kathleen Malone, Director, Asset Sales Staff, Office of

Finance and Budget, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2625

RIN: 2502-AI14

**1550. ONE DOLLAR HOME SALES TO LOCAL GOVERNMENTS (FR 4862)**

Priority: Other Significant

**Legal Authority:** 12 USC 1710; 12 USC 1715z -11a; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 291

Legal Deadline: None

**Abstract:** This program allows properties that have been offered to the public for sale for 6 or more months and are not presently under a sales contract to be removed from the market and offered exclusively to local governments for \$1 plus closing costs.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Gerard P. Donahoe, Housing Program/Policy Specialist, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-1672

RIN: 2502-AI15

**1551. HECM COUNSELING STANDARDIZATION AND ROSTER (FR-4989)**

Priority: Other Significant

**Legal Authority:** 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)

CFR Citation: 24 CFR 206

Legal Deadline: None

**Abstract:** This rule would establish specific standards to ensure the quality of HECM counseling being provided by HUD-approved counseling agencies. The rule would establish a set of requirements for HECM counselors and mandate that only counselors who meet HUD's standards be permitted by HUD to provide HECM counseling.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

RIN: 2502-AI34

**1552. INSURING CERTAIN MANUFACTURED HOMES AS CONDOMINIUMS (FR-5035)**

Priority: Other Significant

Legal Authority: 12 USC 1715y

CFR Citation: 24 CFR 234

Legal Deadline: None

**Abstract:** HUD's regulations at 24 CFR part 234 provide for the insurance of condominiums. Section 234.1 of these regulations excepts manufactured homes from being insured as condominiums. This regulation will amend part 234 to provide that manufactured homes in condominiums that have received support from State or local governments may be insured as condominiums. The support provided must be significant, tangible, and direct.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Maynard Curry, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2676

RIN: 2502-AI38

**1553. • HOUSING FINANCE AGENCY RISK-SHARING ELIGIBLE PROJECTS (FR-5065)**

Priority: Other Significant

**Legal Authority:** 12 USC 1707; 24 USC 3535(d)

CFR Citation: 24 CFR 266

Legal Deadline: None

**Abstract:** This proposed rule would revise HUD's regulations governing the

## HUD—OH

## Proposed Rule Stage

Housing Finance Agency Risk-Sharing Program. The proposed rule would amend the regulations to allow for the refinancing of section 202 Direct Loans with project-based section 8 assisted units (or assisted units under other rental assistance agreements) with mortgages that are supported by the actual unit rents being or to be collected, even though such rent may exceed market rents. This proposed rule is intended to facilitate such projects ability to use the proceeds from the refinancing to refinance the existing indebtedness and to carry out repairs or improvements to the property or to provide services to tenants.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Joseph E. Malloy, Deputy Director of Multifamily Housing Development, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development  
Phone: 202 708-3000

**RIN:** 2502-AI42

**1554. DISPOSITION OF HUD-OWNED, SINGLE-FAMILY ASSETS IN ASSET CONTROL AREAS (FR-4988)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1710(h); 42 USC 3535(d)

**CFR Citation:** 24 CFR 291

**Legal Deadline:** None

**Abstract:** This rule would implement a program to make available HUD-held single family assets for sale to governmental organizations and nonprofits for use in homeownership programs to revitalize certain areas. Under the program, HUD would identify revitalization areas by applying specified economic and housing criteria. Eligible purchasers, that is, units of general local government and nonprofit organizations, may establish an Asset Control Area within a revitalization area and commit by contract to purchase, at a discount, all HUD-owned, single-family homes that become available in that area for a time frame specified by the contract. By statute, these purchasers are to be given preference. The entities would then improve and sell the assets pursuant to a HUD-approved plan to encourage homeownership and revitalize the area.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ivery Himes, Director, Asset Management and Disposition Division, Single Family Housing, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-1672

**RIN:** 2502-AH40

**1555. DISPOSITION OF HUD-ACQUIRED, SINGLE-FAMILY PROPERTY AMENDMENTS (FR-4952)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1710(g); 12 USC 1710(h); 12 USC 1715z -11a; 42 USC 3535(d); . . .

**CFR Citation:** 24 CFR 291

**Legal Deadline:** None

**Abstract:** HUD has a variety of statutory and regulatory property disposition programs. In addition to sales of unoccupied HUD-held assets, these include the following special programs: The Asset Control Area program, the Officer and Teacher Next Door programs, and the single-family occupied conveyance program. This rule will create one integrated set of procedures for property disposition.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Everett, Policy Specialist, Asset Management and Disposition Division, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-1672

**RIN:** 2502-AI27

**Department of Housing and Urban Development (HUD)  
Office of Housing (OH)****Final Rule Stage****1556. MARK-TO-MARKET PROGRAM AMENDMENTS (FR-4751)**

**Priority:** Other Significant

**Legal Authority:** PL 107-116, title VI

**CFR Citation:** 24 CFR 200; 24 CFR 401

**Legal Deadline:** None

**Abstract:** This rule would implement a number of changes to the Mark-to-Market program, HUD's mortgage restructuring program for FHA-insured projects with project-based section 8 assistance, to facilitate processing based on statutory changes and HUD's

technical operational experience in administering the program.

**Timetable:**

Action	Date	FR Cite
NPRM	03/14/06	71 FR 13222
NPRM Comment Period End	05/15/06	
Final Action	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Marilyn E. Carlson, Senior Advisor, FHA, Office of Affordable Housing Preservation, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0001

**RIN:** 2502-AH86

**1557. HOSPITAL MORTGAGE INSURANCE PROGRAM (FR-4927)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1715b; 12 USC 1715n(I); 12 USC 1715z -7; 42 USC 3535(d)

HUD—OH

Final Rule Stage

**CFR Citation:** 24 CFR 200; 24 CFR 242**Legal Deadline:** None

**Abstract:** The rule updates and incorporates some earlier provisions that currently are not published as part of the FHA regulations. Further, the rule adds new provisions to make them consistent with current industry practices. The rule also codify the relevant regulations dealing with hospital mortgage insurance in one part, and therefore makes the regulations more user-friendly.

**Timetable:**

Action	Date	FR Cite
NPRM	01/10/05	70 FR 1750
NPRM Comment Period End	03/11/05	
Final Action	12/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Roger Miller, Director, Office of Insured Health Care Facilities, Department of Housing and Urban Development, Office of Housing Phone: 202 708-0599

**RIN:** 2502-AI22**1558. REVISIONS TO THE SINGLE-FAMILY MORTGAGE INSURANCE PROGRAM (FR-4831)****Priority:** Other Significant

**Legal Authority:** 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

**CFR Citation:** 24 CFR 203**Legal Deadline:** None

**Abstract:** In response to a statutory change, this rule revises certain regulations under the Single-Family Mortgage Insurance Program that govern actions by mortgagees with respect to mortgages in default. The rule also amends other regulations under the Program to make them consistent with industry practices. The Department believes that these changes will help to increase the administrative efficiency of the Single-Family Mortgage Insurance Program.

**Timetable:**

Action	Date	FR Cite
NPRM	11/10/04	69 FR 65324
NPRM Comment Period End	01/10/05	
Final Action	04/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Leslie Bromer, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing Phone: 202 708-1672

**RIN:** 2502-AI03**1559. HYBRID ADJUSTABLE RATE MORTGAGES—ADDITIONAL INDEX (FR-4969)****Priority:** Other Significant

**Legal Authority:** 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715z-16; 12 USC 1715u; 42 USC 3535(d)

**CFR Citation:** 24 CFR 203 and 206**Legal Deadline:** None

**Abstract:** This rule adds the 1-year London Interbank Offered Rate (LIBOR) as an acceptable index for the rate of HUD-Insured Adjustable Rate Mortgage (ARM) products. Under current regulations, only the weekly average yield of U.S. Treasury securities, adjusted to a constant maturity of 1 year (commonly referred to as the Constant Maturity Treasury index or CMT), may be used to adjust interest rates on HUD-Insured ARMs.

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/06	71 FR 35370
NPRM Comment Period End	08/18/00	
Final Action	02/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** James Beavers, Deputy Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing Phone: 202 708-2121

**RIN:** 2502-AI32**1560. HOUSING COUNSELING PROGRAM (FR-4798)****Priority:** Other Significant

**Legal Authority:** 12 USC 1701; 42 USC 3535(d)

**CFR Citation:** 24 CFR 214**Legal Deadline:** None

**Abstract:** This rule would establish regulations for the Department's Housing Counseling program, as authorized by the Housing and Urban Development Act of 1968, and for which, the past several years, notices of funding availability are issued on an annual basis. Establishment of regulations would assist homeowners and tenants in improving their housing conditions and in meeting the responsibilities of homeownership and tenancy. This rule would adopt, without substantive change, the housing counseling program requirements with which grantees and Housing Counseling agencies are already familiar.

**Timetable:**

Action	Date	FR Cite
NPRM	12/23/04	69 FR 77118
NPRM Comment Period End	02/22/05	
Final Action	01/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Ruth Roman, Director, Single Family Program Support Division, Department of Housing and Urban Development, Office of Housing Phone: 202 708-0317

**RIN:** 2502-AH99**1561. APPROVAL OF CONDOMINIUMS IN PUERTO RICO ON EVIDENCE OF PRESENTMENT OF LEGAL DOCUMENTS (FR-5009)****Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1715(b); 12 USC 1715(y); 42 USC 3535(d)

**CFR Citation:** 24 CFR 234**Legal Deadline:** None

**Abstract:** This rule amends the Department's regulations with respect to condominium ownership mortgage insurance to provide that the date of recordation for purposes of obtaining Federal Housing Administration (FHA) approval of a condominium development in the Commonwealth of Puerto Rico for mortgage insurance under the section 234(c) program is the date the condominium legal documents are presented to the Commonwealth Office of the Property Registry. This



## HUD—OH

## Final Rule Stage

rule would enable parties to obtain mortgage insurance upon presentment of legal documents, whether the condominium regime is under construction, proposed for construction, or was established by conversion. The Department believes that instituting a single standard for approval of mortgage insurance will result in a reduction in time and cost, increasing FHA activity and homeownership opportunities in the area.

**Timetable:**

Action	Date	FR Cite
NPRM	05/23/06	71 FR 29754
NPRM Comment Period End	07/24/06	
Final Action	01/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121

**RIN:** 2502-AI36**1562. RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE CONTRACTS (FR-4551)****Priority:** Other Significant

**Legal Authority:** 12 USC 1715z-1; 12 USC 1735f -19(b); 42 USC 1437f(c)(8); 42 USC 1437f note; 42 USC 1437f(t); 42 USC 3535(d)

**CFR Citation:** 24 CFR 401; 24 CFR 402**Legal Deadline:** None

**Abstract:** This proposed rule would revise current HUD regulations that govern the renewal of expiring section 8 project-based assistance contracts. Specifically, the proposed rule would amend the regulations to include tenant protections in the case of a contract that is not renewed, and establish rent levels when an expiring contract is renewed.

**Timetable:**

Action	Date	FR Cite
NPRM	01/12/06	71 FR 2126
NPRM Comment Period End	03/13/06	
Final Action	02/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-3000

**RIN:** 2502-AI35**1563. MODEL MANUFACTURED HOME INSTALLATION STANDARDS (FR-4928)****Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d); 42 USC 5403; 42 USC 5404; 42 USC 5424

**CFR Citation:** 24 CFR 3280; 24 CFR 3285**Legal Deadline:** Final, Statutory, 12 months after receiving standards.

**Abstract:** This rule would establish new Model Manufactured Home Installation Standards (the Installation Standards) for the installation of new manufactured homes. The National Manufactured Housing Construction and Safety Standards Act of 1974 as amended by the Manufactured Housing Improvement Act of 2000 (the Act), requires that the Secretary establish model Installation Standards within 12 months of receiving proposed model installation standards from the Manufactured Housing Consensus Committee (MHCC).

**Timetable:**

Action	Date	FR Cite
NPRM	04/26/05	70 FR 21498
NPRM Comment Period End	06/27/05	
Final Action	02/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None

**Agency Contact:** William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-6401

**RIN:** 2502-AI25**1564. MANUFACTURED HOME INSTALLATION PROGRAM (FR-4812)****Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d); 42 USC 5401 et seq

**CFR Citation:** 24 CFR 3286

**Legal Deadline:** Final, Statutory, December 27, 2005, Program to be established not later than 5 years after enactment of PL 106-569.

**Abstract:** HUD is required under the Manufactured Housing Improvement Act of 2000 to establish an installation program that includes: (1) Installation standards; (2) the training and licensing of manufactured home installers; and (3) inspection of the installation of manufactured homes. HUD's program will be established in states that do not have their own qualifying installation program.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/10/03	68 FR 11448
ANPRM Comment Period End	04/24/03	
NPRM	06/14/06	71 FR 34476
NPRM Comment Period End	08/14/06	
Final Action	04/00/07	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-6401

**RIN:** 2502-AH97**1565. MANUFACTURED HOUSING DISPUTE RESOLUTION PROGRAM (FR-4813)****Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d); 42 USC 5401 et seq

**CFR Citation:** 24 CFR 3288

**Legal Deadline:** Final, Statutory, December 27, 2005, Program to be established not later than 5 years after enactment of PL 106-569.

**Abstract:** Under the Manufactured Housing Improvement Act of 2000, HUD is required to establish a program

## HUD—OH

## Final Rule Stage

for the timely resolution of disputes among manufacturers, retailers, and installers of manufactured homes regarding responsibility for defects in manufactured homes, and for the issuance of appropriate orders for the correction or repair of defects in manufactured homes that are reported during the one year period beginning on the date of installation.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/10/03	68 FR 11452
ANPRM Comment Period End	04/24/03	
NPRM	10/20/05	70 FR 61178
NPRM Comment Period End	12/19/05	
Final Action	02/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** William W. Matchneer III, Associate Deputy Assistant Secretary, Office of Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-6401

**RIN:** 2502-AH98

**Department of Housing and Urban Development (HUD)  
Office of Housing (OH)**

**Long-Term Actions**

**1566. HUD MULTIFAMILY RENTAL AND HEALTH CARE FACILITY CLOSING DOCUMENTS (FR-4883)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1702 to 1715z-21; 42 USC 3535(d)

**CFR Citation:** 24 CFR 200

**Legal Deadline:** None

**Abstract:** This rule will amend certain Federal Housing Administration (FHA) regulations to update these regulations to reflect current HUD policy in the area of multifamily rental projects and health care facilities. In developing a set of comprehensive documents for use in the FHA mortgage programs for multifamily rental projects and health care facilities (excluding hospitals), HUD identified outdated language and policies that not only needed to be changed in closing documents but in HUD's regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/04	69 FR 46210
NPRM Comment Period End	10/01/04	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gains E. Hopkins, Office of General Counsel, Department of Housing and Urban Development  
Phone: 202 708-4090

**RIN:** 2502-AI11

**1567. DISPOSITION OF HUD-OWNED MULTIFAMILY PROJECTS; PURCHASER'S COMPLIANCE WITH STATE AND LOCAL HOUSING LAWS AND REQUIREMENTS (FR-4941)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1701 to 1715z-21; 42 USC 3535(d); 42 USC 3535(i)

**CFR Citation:** 24 CFR 200; 24 CFR 290

**Legal Deadline:** None

**Abstract:** This rule revises HUD's regulations governing the disposition of multifamily projects that are HUD-owned or secured by a HUD-held mortgage that is being foreclosed to implement statutory amendments made by the Consolidated Appropriations Act, 2004. The rule would require a potential purchaser of such a project to certify that all other projects owned by the purchaser, and located in the same city or town as the project being purchased, are in substantial compliance with applicable State or local government housing statutes, regulations, ordinances, and codes. A purchaser of a multifamily project from a State or local government that previously had acquired the property from HUD would also be required to submit evidence of substantial compliance with applicable State or local housing requirements. The rule would also expand the scope of the participation and compliance requirements for HUD's Federal Housing Administration programs to include purchasers of multifamily housing projects from State or local governments, where the property had been previously been acquired by the State or local government from HUD. The rule follows publication of an August 5, 2005, proposed rule and

takes into consideration the public comments on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/05	70 FR 45492
NPRM Comment Period End	10/04/05	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Janet Golrick, Assistant to the Deputy Assistant Director for Multifamily, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2495

**RIN:** 2502-AI24

**1568. HOME EQUITY CONVERSION MORTGAGES (HECM): COOPERATIVE HOUSING DEVELOPMENTS (FR-4777)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)

**CFR Citation:** 24 CFR 203; 24 CFR 206

**Legal Deadline:** None

**Abstract:** This rule would expand the Home Equity Conversion Mortgage (HECM) program to cover approved cooperative housing developments. The rule would implement an amendment to the National Housing Act that authorizes HUD to insure HECM mortgages in cooperative housing developments. The expansion of the HECM program, in the Department's view, would contribute to the effort to broaden reverse mortgage financing opportunities for elderly homeowners.

## HUD—OH

## Long-Term Actions

**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Margaret Burns, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-2121**RIN:** 2502-AH89**1569. RESPA—IMPROVING THE PROCESS FOR OBTAINING MORTGAGES (FR-4727)****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 12 USC 2601 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 3500**Legal Deadline:** None**Abstract:** In July and August 2005, HUD held seven roundtable discussions about possible changes to HUD's RESPA regulations with industry, including small business entities, consumers, and other interested parties. These roundtables were held at HUD Headquarters and also in the cities of Los Angeles, California, Chicago, Illinois, and Fort Worth, Texas. HUD found the roundtable discussions to be very informative and is considering the comments, issues, and proposals raised by roundtable participants and is contemplating the next steps. At the time of preparation of this agenda, no decision on the next action had been made.**Timetable:**

Action	Date	FR Cite
NPRM	07/29/02	67 FR 49134
NPRM Comment Period End	10/28/02	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Gary M. Cunningham, Deputy Assistant Secretary of Regulatory Affairs & Manufactured Housing, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-6401**RIN:** 2502-AH85

## Department of Housing and Urban Development (HUD)

## Completed Actions

## Office of Housing (OH)

**1570. SINGLE-FAMILY MORTGAGE: LENDER COMPLIANCE AND ACCOUNTABILITY (FR-4761)****Priority:** Other Significant**CFR Citation:** 24 CFR 25; 24 CFR 202**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Murray  
Phone: 202 708-1515**RIN:** 2502-AH87**Agency Contact:** Phillip A. Murray  
Phone: 202 708-1515**RIN:** 2502-AH88**1572. DUTIES AND RESPONSIBILITIES OF LOAN CORRESPONDENTS AND SPONSORS (FR-4762)****Priority:** Other Significant**CFR Citation:** 24 CFR 202; 24 CFR 207**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Murray  
Phone: 202 708-1515**RIN:** 2502-AH90**1571. ESTABLISHMENT OF LOAN OFFICER REGISTRY AND ESTABLISHMENT OF SERVICING APPROVAL AGREEMENTS (FR-4764)****Priority:** Other Significant**CFR Citation:** 24 CFR 202**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert Juenger  
Phone: 202 708-1672**RIN:** 2502-AI02**1574. AMENDMENTS TO PROHIBITION OF PROPERTY FLIPPING IN HUD'S SINGLE-FAMILY MORTGAGE INSURANCE PROGRAMS (FR-4911)****Priority:** Other Significant**CFR Citation:** 24 CFR 203**Completed:**

Reason	Date	FR Cite
Final Action	06/07/06	71 FR 33138
Final Action Effective	07/07/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Margaret Burns  
Phone: 202 708-2121**RIN:** 2502-AI18**1575. RISK-BASED MORTGAGE INSURANCE PREMIUM STRUCTURE (FR-5032)****Priority:** Other Significant**CFR Citation:** 24 CFR 203

## HUD—OH

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/08/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bonnie McCloskey  
Phone: 202 708-2121

RIN: 2502-AI39

**1576. DEBENTURE INTEREST PAYMENT CHANGES (FR-4945)**

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 203

**Completed:**

Reason	Date	FR Cite
Final Action	06/22/06	71 FR 35992
Final Action Effective	07/24/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Leslie Bromer  
Phone: 202 708-1672

RIN: 2502-AI41

**1577. HOME EQUITY CONVERSION MORTGAGES (HECM): LONG-TERM CARE INSURANCE (FR-4857)**

Priority: Other Significant

CFR Citation: 24 CFR 206

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/07/06	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Margaret Burns  
Phone: 202 708-2121

RIN: 2502-AI04

**1578. DISPOSITION OF HUD-ACQUIRED, SINGLE-FAMILY PROPERTY: GOOD NEIGHBOR NEXT DOOR SALES PROGRAMS (FR-4712)**

Priority: Other Significant

CFR Citation: 24 CFR 291

**Completed:**

Reason	Date	FR Cite
Final Action	11/01/06	71 FR 64422

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Everett  
Phone: 202 708-1672

RIN: 2502-AH72

**1579. DISCIPLINARY ACTIONS AGAINST HUD-QUALIFIED REAL ESTATE BROKERS (FR-4871)**

Priority: Other Significant

CFR Citation: 24 CFR 291

**Completed:**

Reason	Date	FR Cite
Final Action	11/07/06	71 FR 65322
Final Action Effective	12/07/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ivery Himes  
Phone: 202 708-1672

RIN: 2502-AI08

**1580. MANUFACTURED HOUSING ON-SITE CONSTRUCTION (FR-4885)**

Priority: Other Significant

CFR Citation: 24 CFR 3282

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/08/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William W. Matchneer  
Phone: 202 708-6401

RIN: 2502-AI13

**Department of Housing and Urban Development (HUD)  
Office of Community Planning and Development (CPD)**

## Proposed Rule Stage

**1581. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; SMALL CITIES PROGRAM (FR-5013)**

Priority: Other Significant

Legal Authority: 42 USC 5301 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

**Abstract:** This rule would amend HUD's regulations governing the Community Development Block Grant (CDBG) Program for non-entitlement areas in the State of Hawaii. Pursuant to statutory authority, the State of Hawaii has elected not to administer funds to units of general local governments located in non-entitlement areas within the state. The statute

provides that if Hawaii opts to not assume responsibility for the program then the Secretary of HUD will make grants to the units of general local government located in Hawaii's non-entitlement areas, employing the same distribution formula as was used under prior regulations. This rule would modify HUD's regulations to clarify how the CDBG program will be implemented in the non-entitlement areas of Hawaii. HUD has also taken the opportunity afforded by this rule to update and streamline the subpart F regulations, particularly with regards to the HUD-administered Small Cities program in New York.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Stephen Rhodside, Senior Program Officer, Department of Housing and Urban Development, Office of Community Planning and Development  
Phone: 202 708-1322

RIN: 2506-AC19

## HUD—CPD

## Proposed Rule Stage

**1582. HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) (FR-4708)****Priority:** Other Significant**Legal Authority:** 42 USC 12901 et seq**CFR Citation:** 24 CFR 574**Legal Deadline:** None

**Abstract:** The Housing Opportunities for Persons With AIDS (HOPWA) program was authorized in 1990 by the AIDS Housing Opportunity Act (12 U.S.C. 12901 et seq.) (AHOA) to provide states and localities with the programs and resources necessary to meet the housing needs of individuals and families with HIV/AIDS. The rule proposes to adjust the formula factor that determines the allocation of 25

percent of funds based on a metropolitan area's higher-than-average incidence of cases of AIDS. This regulation would be updated in implementing an administrative provision of the Department's appropriation act for FY 2006 that authorized the use of AIDS data collected over a three year period for determining this formula factor. In addition, the regulation would update the HOPWA rental assistance requirements to make use of additional provisions and create additional options for grantees for operation of rental assistance programs. The changes would implement provisions used in other HUD programs, such as the Housing Choice Voucher (section 8) program, and thereby modernize the

HOPWA regulations, which were last updated in 1994.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** David Vos, Director, Office of HIV/AIDS Housing, Department of Housing and Urban Development, Office of Community Planning and Development  
Phone: 202 708-1934

**RIN:** 2506-AC11
**Department of Housing and Urban Development (HUD)  
Office of Community Planning and Development (CPD)**

## Final Rule Stage

**1583. SUPPORTIVE HOUSING PROGRAM (FR-4616)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 11381; 42 USC 11389; 42 USC 3535(d)**CFR Citation:** 24 CFR 583**Legal Deadline:** None

**Abstract:** The Department of Housing and Urban Development is amending the Supportive Housing Program regulations. The regulations will be updated to clarify existing program requirements and to add new program requirements in accordance with recent statutory changes including requirements for some local matching funds and for permanent housing. Additionally, this rule will make the Supportive Housing Program regulations clearer and allow for the full flexibility of the McKinney Act.

**Timetable:**

Action	Date	FR Cite
NPRM	07/20/04	69 FR 43488
NPRM Comment Period End	09/20/04	
Final Action	06/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local

**Agency Contact:** Mark Johnston, Director, Office of Special Needs Assistance Program, Department of Housing and Urban Development, Office of Community Planning and Development  
Phone: 202 708-1590

**RIN:** 2506-AC07**1584. EMPOWERMENT ZONES: PERFORMANCE STANDARDS FOR UTILIZATION OF GRANT FUNDS (FR-4853)****Priority:** Other Significant**Legal Authority:** 26 USC 1391; 42 USC 3535(d)**CFR Citation:** 24 CFR 598**Legal Deadline:** None

**Abstract:** This rule will establish performance standards for utilization of the grant funds provided to Empowerment Zones, including a

sufficient level of benefit to residents and use in conjunction with economic development activities consistent with the strategic plan for each Empowerment Zone (EZ).

**Timetable:**

Action	Date	FR Cite
NPRM	06/08/05	70 FR 33642
NPRM Comment Period End	08/08/05	
Final Action	12/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Local

**Agency Contact:** John Haines, Office of Community Renewal, Department of Housing and Urban Development, Office of Community Planning and Development  
Phone: 202 708-6339

**RIN:** 2506-AC16

**Department of Housing and Urban Development (HUD)  
Office of Community Planning and Development (CPD)**
**Completed Actions**
**1585. PROHIBITION ON USE OF CDBG ASSISTANCE FOR JOB-PIRATING ACTIVITIES (FR-4556)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 570

**Completed:**

Reason	Date	FR Cite
Final Action	05/24/06	71 FR 30025
Final Action Effective	06/23/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local, State

**Agency Contact:** Richard J. Kennedy  
Phone: 202 708-3587

**RIN:** 2506-AC04

**1586. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM REVISION OF CDBG ELIGIBILITY AND NATIONAL OBJECTIVE REGULATIONS (FR-4699)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 570

**Completed:**

Reason	Date	FR Cite
Final Action	05/24/06	71 FR 30029
Final Action Effective	06/23/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local, State

**Agency Contact:** Steve Johnson  
Phone: 202 708-1322

**RIN:** 2506-AC12

**Department of Housing and Urban Development (HUD)  
Government National Mortgage Association (GNMA)**
**Long-Term Actions**
**1587. • GOVERNMENT NATIONAL MORTGAGE ASSOCIATION: MORTGAGE-BACKED SECURITIES (MBS) PROGRAM—PAYMENTS TO SECURITYHOLDERS; BOOK-ENTRY PROCEDURES; AND FINANCIAL REPORTING (FR-5063)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1721(g); 12 USC 1723a; 42 USC 3535(d)

**CFR Citation:** 24 CFR 320; 24 CFR 350

**Legal Deadline:** None

**Abstract:** The Government National Mortgage Association (Ginnie Mae) is proposing regulations that would restrict the issuance of physical certificates representing Ginnie Mae mortgage-backed securities. This rule would also revise the Ginnie Mae regulations that require financial statements, including a balance sheet and a statement of operations and cash flows, by eliminating the required reporting of current, noncurrent, fixed, and long-term assets and liabilities.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Thomas R. Weakland, Vice President, Department of Housing and Urban Development, Government National Mortgage Association  
Phone: 202 475-4915

**RIN:** 2503-AA19

**Department of Housing and Urban Development (HUD)  
Government National Mortgage Association (GNMA)**
**Completed Actions**
**1588. GNMA: EXCESS YIELD SECURITIES (FR-4958)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 320

**Completed:**

Reason	Date	FR Cite
Final Action	06/05/06	71 FR 32388
Final Action Effective	07/05/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Stephen L. Ledbetter  
Phone: 202 401-8970

**RIN:** 2503-AA18

**Department of Housing and Urban Development (HUD)  
Office of Fair Housing and Equal Opportunity (FHEO)**
**Proposed Rule Stage**
**1589. DESIGN AND CONSTRUCTION REQUIREMENTS; COMPLIANCE WITH ANSI A117.1 STANDARDS (FR-5006)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 3535(d); 42 USC 3600 to 3620

**CFR Citation:** 24 CFR 100

**Legal Deadline:** None

**Abstract:** This rule would amend HUD's regulations with respect to the

design and construction requirements of the Fair Housing Act and its amendments by updating and clarifying the references of the American Standards Institute (ANSI) building standards for accessibility. ANSI standards are the technical standards for the design of housing facilities that are accessible to persons with disabilities. These are commonly known as the ANSI A117.1 standards.

Compliance with the ANSI A117.1 building standards for accessibility satisfies the accessibility requirements of the Fair Housing Act and its amendments. The rule would update the references to the ANSI A117.1 building standards to adopt the 1998 edition of the standards. This rule would also clarify that compliance with the appropriate requirements of the 1986, 1992, and 1998 editions suffice

## HUD—FHEO

## Proposed Rule Stage

to comply with the requirements of the Fair Housing Act and its amendments.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Cheryl Kent, Special Advisor for Disability Policy, Office of Enforcement, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity  
Phone: 202 708-1234

**RIN:** 2529-AA92

**1590. ECONOMIC OPPORTUNITIES FOR LOW- AND VERY LOW-INCOME PERSONS (FR-4983)**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1701u; 42 USC 1450; 42 USC 3301; 42 USC 3535(d)

**CFR Citation:** 24 CFR 135

**Legal Deadline:** None

**Abstract:** The regulations at 24 CFR part 135 were revised substantially to incorporate the statutory amendments in the Housing and Community Development Act of 1992, to reflect certain changes in the design of the Department's programs that are subject to the section 3 regulations, to clarify the obligations of individuals and entities subject to the requirements of section 3, and to simplify the Department's administration of section

3 requirements. This rule would update HUD's section 3 regulations at 24 CFR part 135 to reflect current program practices and better facilitate compliance with the statutory objectives.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kirk Perry, Acting Director, Economic Opportunity Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity  
Phone: 202 708-1145

**RIN:** 2529-AA91

**Department of Housing and Urban Development (HUD)**  
**Office of Fair Housing and Equal Opportunity (FHEO)**

## Final Rule Stage

**1591. CERTIFICATION AND FUNDING OF STATE AND LOCAL FAIR HOUSING ENFORCEMENT AGENCIES (FR-4748)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 3601 to 3619; 42 USC 3535(d)

**CFR Citation:** 24 CFR 115

**Legal Deadline:** None

**Abstract:** The Fair Housing Assistance Program (FHAP) provides assistance to State and local fair housing enforcement agencies to build an intergovernmental enforcement structure to further fair housing. HUD provides assistance to State and local fair housing enforcement agencies that administer fair housing laws that are

substantially equivalent to the Fair Housing Act (title VIII of the Civil Rights Act of 1968; 42 U.S.C. 3601 to 3619). The FHAP program provides support for complaint processing, training, technical assistance, education and outreach, data and information systems, and other activities that will further fair housing within the State or local agency's jurisdiction. HUD intends to update its part 115 regulations with respect to both the certification of substantially equivalent agencies and the overall administration of the FHAP program.

**Timetable:**

Action	Date	FR Cite
NPRM	05/18/05	70 FR 28748

Action	Date	FR Cite
NPRM Comment Period End	07/18/05	
Final Action	02/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Myron Newry, Acting Director, FHAP Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity  
Phone: 202 708-2288

**RIN:** 2529-AA90

**Department of Housing and Urban Development (HUD)**  
**Office of Administration (OA)**

## Final Rule Stage

**1592. HUD ACQUISITION REGULATION (FR-4705)**

**Priority:** Other Significant

**Legal Authority:** 40 USC 486(c); 41 USC 251; 42 USC 3535(d)

**CFR Citation:** 48 CFR 2401

**Legal Deadline:** None

**Abstract:** This rule will implement miscellaneous changes to the HUD Acquisition Regulation (HUDAR) including but not limited to corrections of regulatory citations due to revisions made to the Federal Acquisition Regulation (FAR) since the last publication of the HUDAR; revisions reflecting changes in the Department's requirements regarding organizational

conflict of interest, ratification of unauthorized commitments, and disclosure of information provided to contractors.

**Timetable:**

Action	Date	FR Cite
NPRM	01/13/06	71 FR 2444

## HUD—OA

## Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	03/14/06	
Final Action	03/00/07	

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** Fred Graves, Procurement Analyst, Policy and Field

Operations Division, Office of the Chief Procurement Officer, Department of Housing and Urban Development, Office of Administration  
 Phone: 206 220-5259  
**RIN:** 2535-AA26

**Department of Housing and Urban Development (HUD)**  
**Office of Public and Indian Housing (PIH)**

## Proposed Rule Stage

**1593. REVISIONS TO TROUBLED AGENCY-RECOVERY PROCESS (FR-5008)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437d(j); 42 USC 3535(d)

**CFR Citation:** 24 CFR 902

**Legal Deadline:** None

**Abstract:** This rule would revise and update HUD's regulations concerning troubled public housing authorities (PHAs). Under current regulations, troubled agencies are referred to the area Troubled Agency Recovery (TARC). The Department has made internal organizational changes and no longer maintains area TARCs. Therefore, this proposed rule would remove all references to TARCs in 24 CFR part 902.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Deborah Hernandez, Director, Office of Field Operations, Department of Housing and Urban Development, Office of Public and Indian Housing  
 Phone: 202 708-1141

**RIN:** 2577-AC63

**1594. • REVISIONS TO THE PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS) (FR-5094)**

**Regulatory Plan:** This entry is Seq. No. 60 in part II of this issue of the **Federal Register**.

**RIN:** 2577-AC68

**1595. STREAMLINING PUBLIC HOUSING PROGRAMS (FR-4990)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437c; 42 USC 1437d; 42 USC 1437e; 42 USC 1437g; 42 USC 1437r; 42 USC 3535(d)

**CFR Citation:** 24 CFR 903; 24 CFR 945; 24 CFR 964; 24 CFR 966

**Legal Deadline:** None

**Abstract:** Public Housing Agencies (PHAs) are required annually to submit a PHA Plan to HUD that outlines the PHA's plans for the coming year. This rule would revise certain program regulations to make them more consistent with HUD's overall objective to streamline public housing programs, facilitate the transition to public housing project-based management, and consider recommendations of the congressionally mandated Harvard Public Housing Cost Study concerning changes to public housing's regulatory environment.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Nicole Faison, Director, Office of Public Housing Programs, Office of Public and Indian Housing, Department of Housing and Urban Development  
 Phone: 202 708-0744

**RIN:** 2577-AC59

**1596. IMPLEMENTATION OF VIOLENCE AGAINST WOMEN AND JUSTICE DEPARTMENT REAUTHORIZATION ACT OF 2005 FOR HUD PROGRAMS UNDER THE U.S. HOUSING ACT OF 1937 (FR-5056)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437 et seq; 42 USC 3535(d)

**CFR Citation:** 24 CFR 903; 24 CFR 960; 24 CFR 966; 24 CFR 982

**Legal Deadline:** None

**Abstract:** This rule would revise HUD's regulations for its public and assisted housing programs authorized under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) to conform to the statutory amendments made by the Violence Against Women Act of 2005 (Pub. L. 109-162). The statutory changes will better enable public housing authorities to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Nicole Faison, Director, Office of Public Housing Programs, Office of Public and Indian Housing, Department of Housing and Urban Development  
 Phone: 202 708-0744

**RIN:** 2577-AC65



## HUD—PIH

## Proposed Rule Stage

**1597. CAPITAL FUND PROGRAM (FR-4880)**

**Regulatory Plan:** This entry is Seq. No. 59 in part II of this issue of the **Federal Register**.

**RIN:** 2577-AC50

**1598. TECHNICAL AND CONFORMING AMENDMENTS TO THE PUBLIC HOUSING HOMEOWNERSHIP PROGRAM (FR-4891)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437z-4; 42 USC 3535(d)

**CFR Citation:** 24 CFR 906

**Legal Deadline:** None

**Abstract:** This rule clarifies that, as permitted by statute, a public housing agency (PHA) may use its capital funds to acquire properties to be used for homeownership.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sue Wilson, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

**RIN:** 2577-AC53

**1599. STREAMLINED MIXED FINANCE APPLICATION REVIEW (FR-4924)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1437z-7; 42 USC 3535(d)

**CFR Citation:** 24 CFR 941

**Legal Deadline:** None

**Abstract:** This rule will streamline the document submission process currently required by 24 CFR 941.610 by substituting certifications for a number of currently required documents, and streamlining the mixed finance application process.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sue Wilson, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

**RIN:** 2577-AC55

**1600. • REVISIONS TO PHA-OWNED OR LEASED PROJECTS—GENERAL PROVISIONS (FR-5096)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1437; 42 USC 1437(a); 42 USC 1437(d); 42 USC 1437(g); 42 USC 3535(d)

**CFR Citation:** 24 CFR 965

**Legal Deadline:** None

**Abstract:** This rule would revise 24 CFR 965 to make it consistent with the Energy Act of 2005 among other policy issues. 24 CFR 965 addresses the following topics: Wage requirements, insurance, lead-based paint, energy audits, energy performance, contracts, metering, utility allowances, conversions/residents, surcharges, surcharges relief, physical conditions, and fire safety.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Richard Santangelo, Public Housing Management and Occupancy Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-0744

**RIN:** 2577-AC71

**1601. ENERGY PERFORMANCE CONTRACTS (FR-5057)**

**Priority:** Other Significant

**Legal Authority:** PL 109-58

**CFR Citation:** 24 CFR 990

**Legal Deadline:** None

**Abstract:** The Energy Policy Act of 2006 amended section 9(c)(2)(C) of the U.S. Housing Act of 1937 to allow PHAs, to enter into 20-year energy

performance contracts. This rule would amend 24 CFR 990.185 to increase the permissible terms of an energy performance contract from 12 years to 20 years.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Elizabeth Hanson, Deputy Assistant Secretary, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development  
Phone: 202 475-7949

**RIN:** 2577-AC66

**1602. HOUSING CHOICE VOUCHER PROGRAM HOMEOWNERSHIP OPTION; ELIGIBILITY OF UNITS NOT YET UNDER CONSTRUCTION (FR-4991)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437d; 42 USC 3535(d)

**CFR Citation:** 24 CFR 982

**Legal Deadline:** None

**Abstract:** This proposed rule would revise HUD's regulations for the homeownership option authorized under the Housing Choice Voucher program. Through the homeownership option, a public housing agency (PHA) may provide voucher assistance for an eligible family that purchases a dwelling unit for residence by the family. The current homeownership option regulations provide that, to be eligible for purchase with voucher assistance, a unit must be either an existing unit or under construction at the time the family enters into the contract for sale. This proposed rule would permit, under certain conditions, the use of voucher homeownership assistance for the purchase of units not yet under construction at the time the family contracts to purchase the home. The revision will expand the housing choices available to families participating in the Housing Choice Voucher program.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

## HUD—PIH

## Proposed Rule Stage

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-0477

RIN: 2577-AC60

**1603. ● STREAMLINING  
TENANT-BASED HCVP ASSISTANCE  
AND SEMAP (FR-5095)**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 982; 24 CFR 985**Legal Deadline:** None

**Abstract:** This rule would propose streamlining revisions to the Housing Choice Voucher Program to enable HUD and PHAs to provide housing assistance to low-income families more effectively and cost-efficiently, and to provide PHAs with the flexibility to adapt their voucher program to local housing conditions.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Dr. Alfred C. Jurison, Director, Housing Voucher Management and Operations Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-0477

RIN: 2577-AC70

**1604. TAX CREDIT RENTS IN  
PROJECT-BASED UNITS (FR-5034)**
**Priority:** Other Significant**Legal Authority:** 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 983**Legal Deadline:** None

**Abstract:** This rule would establish rent levels for Project-Based Unit projects with tax credit inside and outside of Qualified Census Tracts.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** David Vargas, Director, Office of Housing Voucher Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-2815

RIN: 2577-AC62

**1605. CAPITAL AND OPERATING  
FUNDS FOR DEBT SERVICE AND  
FINANCING ACTIVITIES (FR-4843)**
**Priority:** Other Significant**Legal Authority:** 42 USC 1437g; 42 USC 3535(d)**CFR Citation:** 24 CFR 905; 24 CFR 990**Legal Deadline:** None

**Abstract:** This rule would allow public housing agencies (PHAs) to use either Capital or Operating Funds for financing activities, including payments of debt service and of customary financing costs for the modernization and development of public housing, including public housing in mixed-finance developments. The proposed rule would establish program requirements, submission requirements, and the approval process for PHAs to request authorization from HUD to pledge either the Capital or Operating Funds for debt service payments.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Jeffrey Riddel, Acting Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

RIN: 2577-AC49

**1606. USE OF INDIAN HOUSING  
BLOCK GRANT FUNDS FOR RENTAL  
ASSISTANCE IN LOW-INCOME  
HOUSING TAX CREDIT PROJECTS  
(FR-4999)**
**Priority:** Other Significant**Legal Authority:** 25 USC 1401 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

**Abstract:** This rule would amend the Indian Housing Block Grant (IHBG) program regulations to clarify that IHBG funds may be used for project-based or tenant-based rental assistance in Low-Income Housing Tax Credit (LIHTC) projects on behalf of a tenant receiving assistance under the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996. The rule would also specify the conditions under which such rental assistance may be provided in LIHTC projects. The proposed regulatory amendments will clarify the IHBG program requirements and expand the availability of rental housing to eligible Indian tribal families by facilitating the coordination of LIHTC and IHBG assistance.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Deborah Lalancette, Director, Housing Management Div. Office of Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 303 675-1600

RIN: 2577-AC61

**1607. USE OF CENSUS DATA IN THE  
INDIAN HOUSING BLOCK GRANT  
PROGRAM (FR-5055)**
**Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

**Abstract:** Senate Report 109-109 accompanying the FY 2006 HUD Departments of Transportation,

## HUD—PIH

## Proposed Rule Stage

Treasury, and Housing and Urban Development Appropriations Act (Pub. L. 109-115), approved November 30, 2005, provides for HUD to reassess its decision through notice and comment rulemaking to use multi-race data in the computation of the Need component of the Indian Housing Block Grant (IHBG) program allocation formula. Through the IHBG program, HUD provides Federal housing assistance to Indian tribes in a manner that recognizes the right Indian self-determination and tribal self-government. Consistent with the language of Senate Report 109-109, this rule would solicit public comment on HUD's use of multi-race data in the computation of the IHBG program allocation formula. HUD's current regulations do not address the use of multi-race or single race census data. Accordingly, at this time, HUD is not proposing a regulatory change. Following HUD's review and consideration of the comments received on this notice, HUD may proceed with rulemaking as necessary.

**Timetable:**

Action	Date	FR Cite
Notice	01/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-7914

**RIN:** 2577-AC64**1608. • IMPLEMENTATION OF STATUTORY CHANGES TO THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-4968)****Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

**Abstract:** The Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) established the Indian Housing Block Grant (IHBG) Program. NAHASDA was subsequently amended several times. In 1998, NAHASDA was amended by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105-276, approved Oct. 21, 1998). In 2000, the Omnibus Indian Advancement Act (Pub. L. 106-568, approved Dec. 27, 2000) and the American Homeownership and Economic Opportunity Act of 2000 (Pub. L. 106-569, approved Dec. 27, 2000) both amended NAHASDA. In 2002, the Native American Housing

Assistance and Self-Determination Reauthorization Act of 2002 (Pub. L. 107-292, approved Nov. 13, 2002), which also amended NAHASDA, was enacted. These statutory amendments affected the IHBG Program. This proposed rule would effectuate certain statutory changes to the IHBG Program, as noted above. HUD will develop this proposed rule with input from interested tribal members through a Negotiated Rulemaking Committee. The NAHASDA amendments that will be the subject of negotiated rulemaking may include environmental provisions, review and audit provisions, noncompliance actions, performance agreements, program income, and the definition of "housing related community development."

**Timetable:**

Action	Date	FR Cite
Notice	03/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-7914

**RIN:** 2577-AC67

## Department of Housing and Urban Development (HUD)

## Final Rule Stage

## Office of Public and Indian Housing (PIH)

**1609. NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT (NAHASDA): REVISIONS TO THE INDIAN HOUSING BLOCK GRANT PROGRAM FORMULA (FR-4938)****Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

**Abstract:** This rule would make several revisions to the Indian Housing Block Grant (IHBG) Program allocation formula authorized under section 302 of the Native American Housing Assistance and Self-Determination Act of 1996. Through the IHBG Program,

HUD provides Federal housing assistance for Indian tribes in a manner that recognizes the right of Indian self-determination and tribal self-government. HUD negotiated the rule with active tribal participation and using the procedures of the Negotiated Rulemaking Act of 1990. The regulatory changes reflect the consensus decisions reached by HUD and the tribal representatives on ways to improve and clarify the current regulations governing the IHBG program formula. The final rule follows publication of a February 25, 2005, proposed rule and takes into consideration the public comments on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	02/25/05	70 FR 9490
NPRM Comment Period End	04/26/05	
Final Action	02/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-7914

**RIN:** 2577-AC57

## HUD—PIH

## Final Rule Stage

**1610. SELF-INSURANCE PLANS UNDER THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-4897)****Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

**Abstract:** NAHASDA requires Indian Tribes and tribally designated housing entities (TDHEs) who are recipients of HUD funds to provide adequate insurance for housing that benefits from HUD assistance. Experience has shown that private insurance companies have often been unwilling or unable to provide this service at a cost that Tribes and TDHEs can afford. This rule would establish standards for Tribes and TDHEs to establish self-funded risk management entities to fulfill this vital function.

**Timetable:**

Action	Date	FR Cite
NPRM	03/07/06	71 FR 11464
NPRM Comment Period End	05/08/06	
Final Action	01/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Agency Contact:** Rodger Boyd, Deputy Assistant Secretary for Native American

Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-7914

**RIN:** 2577-AC58**1611. • NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT; MINIMUM FUNDING UNDER THE INDIAN HOUSING BLOCK GRANT PROGRAM (FR-5093)****Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

**Abstract:** This rule would revise the Indian Housing Block Grant (IHBG) program's allocation formula, authorized under section 302 of the Native American Housing Assistance and Self-Determination Act of 1996, as amended (NAHASDA), by extending the minimum funding provision found at 24 CFR 1000.328. The minimum funding provision expires at the end of fiscal year (FY) 2006. This rule would extend the minimum funding provision through the end of FY 2007.

The IHBG program is authorized by NAHASDA. Through the IHBG program, HUD provides Federal housing assistance to Indian tribes in a manner that recognizes the right to

Indian self-determination and tribal self-government. HUD negotiated the existing rule (24 CFR 1000) with active tribal participation and using the procedures of the Negotiated Rulemaking Act of 1990. Changes to the IHBG allocation formula, including a permanent change to the minimum funding provision at 24 CFR 1000.328, are the subject of a related rule (RIN 2577-AC57) completed under the negotiated rulemaking process, but not yet published as a final rule.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/19/06	71 FR 61866
Interim Final Rule Effective	11/20/06	
Interim Final Rule Comment Period End	12/18/06	
Final Action	06/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-7914

**RIN:** 2577-AC69
**Department of Housing and Urban Development (HUD)  
Office of Public and Indian Housing (PIH)**

## Long-Term Actions

**1612. IMPLEMENTATION OF STATUTORY REVISIONS TO NAHASDA (FR-4750)****Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

**Abstract:** This rule would implement statutory amendments made to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) (NAHASDA) by the

American Homeownership and Economic Opportunity Act (Pub. L. 106-569, approved December 27, 2000) and the Omnibus Indian Advancement Act (Pub. L. 106-568, approved December 27, 2000), and the Native American Housing Assistance and Self-Determination Reauthorization Act of 2002 (Pub. L. 107-292, approved November 13, 2002). The rule will update the NAHASDA regulations to conform to self-implementing statutory amendments not reflected in the regulations.

**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-7914

**RIN:** 2577-AC37

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**Department of Housing and Urban Development (HUD)**  
**Office of Public and Indian Housing (PIH)**

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**Completed Actions****1613. PUBLIC HOUSING PROGRAM—  
DEMOLITION OR DISPOSITION OF  
PUBLIC HOUSING PROJECTS  
(FR-4598)****Priority:** Other Significant**CFR Citation:** 24 CFR 970**Completed:**

<b>Reason</b>	<b>Date</b>	<b>FR Cite</b>
Final Action	10/24/06	71 FR 62354

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Ainars Rodins

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